

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

TWAIN JONES,

Defendant.

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No. 99-CR-30249-WDS

ORDER

This matter is before the Court on several pending motions. The defendant has filed two motions for retroactive application of the Advisory Sentencing Guidelines pursuant to 18 U.S.C. § 3582, and a motion for status on those motions (Docs. 118, 119 and 123). The Court previously appointed Assistant Federal Public Defender, Daniel G. Cronin to represent the defendant in this matter, and he has filed a motion to withdraw (Doc. 124). In the motion to withdraw, counsel indicates that his review of the record reveals that the defendant, who received a sentence reduction pursuant to the previous amendments to the Advisory Sentencing Guidelines, is not eligible for a further reduction under the most recent amendments. Upon review of the record, the Court finds that the defendant's relevant conduct is such that no further reductions in the Advisory Sentencing Guidelines apply, and he is not eligible for further reduction in sentence.

Accordingly, the Court **GRANTS** the motion for leave to withdraw (Doc. 124) and **DENIES** the motions for retroactive application (Docs. 118 and 119). The motion for status is **DENIED** as moot (Doc. 123). The motion to copy is **DENIED** as moot as counsel has provided a copy of the docket sheet to the defendant (Doc. 123).

Also before the Court are defendant's pro se motions to amend/correct sentence (Docs. 115 and 117) and to reduce sentence and appoint counsel (Doc. 116). In these motions, the defendant

seeks to alter, amend or correct judgment, which must be brought in a civil habeas petition, not as part of this criminal file. The defendant has previously filed a habeas petition, *Jones v. United States*, 02-1062, which was denied by this Court and affirmed on appeal, *Jones v. United States*, 05-1801 (7th Cir. 2005). The defendant filed a motion pursuant to Rule 60(b) which this Court denied as a second or successive petition, and that was also affirmed on appeal *Jones v. United States*, 06-3268 (7th Cir. 2006). The relief he now seeks in the motions to amend or correct are another attempt at habeas review, which he does not have leave to file. Accordingly, the Court **DISMISSES** the motions to amend/correct, to reduce, and for appointment of counsel (Docs. 115, 116 and 117), as second or successive habeas petitions for which leave to file has not been granted.

IT IS SO ORDERED.

DATE: 1 August, 2012

s/ WILLIAM D. STIEHL
DISTRICT JUDGE